IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 25TH JULY 2007 / 3RD SRAVANA 1929

WP(C).No. 12860 of 2007(E)

PETITIONER:

K.V.GIRISH KUMAR, KARIYIL VALAPPIL,
SREEKANTAPURAM,KANNUR DISTRICT.

BY ADV. SRI.MOHAN C.MENON

RESPONDENTS:
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1. THE COMMISSIONER,
HR & CE (ADMINISTRATION) DEPARTMENT,
KOZHIKODE.

2. PAYYAVOOR DEVASWOM,TALIPARAMBA TALUK,
KANNUR DISTRICT,REPRESENTED BY ITS
EXECUTIVE OFFICER.

3. JOSE PHILIP,VATTAKOTTAYIL,KANJILERI
DEVASWOM,SREEKANTAPURAM,TALIPARAMBA,
KANNUR DISTRICT.

BY ADV. SRI.MILLU DANDAPANI
SRI.J.S.AJITHKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 12860 of 2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1- TRUE COPY OF ADANGAL REGISTER AVAILABLE AT THE VILLAGE OFFICE

EXT.P2- TRUE COPY OF ADANGAL REGISTER AVAILABLE AT THE TALUK OFFICE

EXT.P3- TRUE COPY OF ORDER IN CRP.NO.1561/90 DATED 10.12.96

EXT.P4- TRUE COPY OF COUNTER AFFIDAVIT FILED BY THE 1ST RESPONDENT IN W.P.(C).NO.8279/2005

EXT.P5- TRUE COPY OF ANNUAL FESTIVAL NOTICE.

(TRUE COPY)

P.A TO JUDGE

K.S.RADHAKRISHNAN & ANTONY DOMINIC, JJ

W.P.(C). 12860/2007

Dated this the 25th day of July, 2007

JUDGMENT

Radhakrishnan, J.

Writ petition is preferred for a writ of mandamus directing the first respondent, Commissioner, HR &CE Department, to directly intervene in the matter and do the needful for protecting, preserving and securing the interest of the Hindu Religious Institution viz., Payyavoor Siva Temple in the matter of immovable properties and for other consequential reliefs.

2. Various contentions have been raised by counsel on either side. Considering the facts and circumstances, we are inclined to dispose of this writ petition directing the Commissioner, HR & CE Department, to take appropriate action after taking note of all aspects of the matter. With this observation, this petition is disposed of.

3. We make it clear that if Devaswam is not acting in accordance with the rules and in safeguarding

the interest of the Temple, it is open to the Commissioner to take follow up action.

K.S.RADHAKRISHNAN
Judge

ANTONY DOMINIC
Judge

mrcs